

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

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|--------------------------------|---|------------------------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Case No. CR-17-122-SLP |
| |) | |
| PEDRO CONTRERAS GALVAN, |) | |
| JOSE MANUEAL MARQUEZ SANCHEZ, |) | |
| ELMER DAVILA QUINONES and |) | |
| BLANCA ESTELLA FLORES, et al., |) | |
| |) | |
| Defendants. |) | |

PRETRIAL CONFERENCE MEMORANDUM

On May 7, 2018, the Court held a pretrial conference pursuant to Fed. R. Crim. P. 17.1. Assistant United States Attorneys Kerry Blackburn and Ashley Altshuler appeared on behalf of Plaintiff. Robert Jackson appeared on behalf of Defendant Pedro Contreras Galvan; Jeff Trevillion appeared on behalf of Defendant Jose Manual Marquez Sanchez; Lance Phillips and Natalie Mai appeared on behalf of Defendant Elmer Davila-Quinones and Joseph Wells appeared on behalf of Blanca Estella Flores. The following matters were discussed during the conference:

1. Defendant Flores's Change of Plea hearing is scheduled for Tuesday May 8, 2018 at 8:30 a.m.
2. Plaintiff and the remaining Defendants announced they are ready for trial.
3. Pursuant to the Court's Order [Doc. No. 481], the Court made inquiry of the government as to any Jencks Act materials based on the issues raised in the government's Motion in Limine [Doc. No. 429]. The government represented

- that it has requested from its witnesses any potential additional materials subject to the Act. The Court has advised defense counsel that should any additional materials be subject to disclosure, defense counsel will be given adequate time during the trial to review those materials.
4. The Court has conducted an in camera review of the Presentence Investigation Reports (PSRs) submitted by the government ex parte on April 26, 2018 [Doc. No. 477] pursuant to the Court's Order [Doc. No. 471]. The government currently has only two responsive PSRs – one prepared for Defendant Deyanira Anaya and one prepared for Defendant Omar Delgado. The Court authorizes the government to make a *limited* disclosure to Defendants of excerpts from the respective PSRs addressing drug use, to the extent that information has not previously been produced or otherwise made available to Defendants. Additional information identified by the government as contained in the PSRs and subject to potential disclosure is alternatively available through the CMF filings in this matter, including the filings concerning Defendant Anaya's conditions of release. Because Defendants have access to this information through alternative means, the government is not authorized to disclose those or any additional portions of the PSR.
 5. The government's Notices [Doc. Nos. 491 and 492] will be moot upon Defendant Flores's change of plea. The parties shall confer regarding any outstanding objections with respect to the government's Notice [Doc. No. 490].

6. Jury selection will occur on Tuesday, May 8, 2018, beginning at 9:30 a.m. or as soon thereafter as qualified jurors are present. The Court will then recess and instruct the jury to return at 9:00 a.m. on Monday, May 21, 2018 when the trial will convene for opening statements and the presentation of evidence.
7. Evidentiary matters will be addressed pursuant to the supplemental *James* hearing scheduled for Tuesday May 8, 2018, immediately following jury selection. All remaining evidentiary matters not otherwise addressed herein have been previously ruled upon or otherwise will be moot upon the entry of Defendant Flores's change of plea.
8. The government is directed to submit an amended summary of the Superseding Indictment, prior to the commencement of jury selection, to include only those defendants/counts which remain to be tried. The parties have agreed to use of an amended summary of the Superseding Indictment during jury selection.
9. The government is directed to submit an amended proposed jury instruction on the Superseding Indictment, to include only those defendants/counts which remain to be tried, on or before Friday, May 11, 2018.

DATED this 7th day of May, 2018.



SCOTT L. PALK
UNITED STATES DISTRICT JUDGE